

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Galvano offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 392 and 393, insert:

5 Section 6. Paragraph (c) is added to subsection (1) of
6 section 393.0661, Florida Statutes, to read:

7 393.0661 Home and community-based services delivery
8 system; comprehensive redesign.--The Legislature finds that the
9 home and community-based services delivery system for persons
10 with developmental disabilities and the availability of
11 appropriated funds are two of the critical elements in making
12 services available. Therefore, it is the intent of the
13 Legislature that the Agency for Persons with Disabilities shall
14 develop and implement a comprehensive redesign of the system.

15 (1) The redesign of the home and community-based services
16 system shall include, at a minimum, all actions necessary to
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17 achieve an appropriate rate structure, client choice within a
18 specified service package, appropriate assessment strategies, an
19 efficient billing process that contains reconciliation and
20 monitoring components, a redefined role for support coordinators
21 that avoids potential conflicts of interest, and ensures that
22 family/client budgets are linked to levels of need.

23 (c) By December 1, 2007, the Agency for Persons with
24 Disabilities, in consultation with the Agency for Health Care
25 Administration, shall create a model service delivery system
26 pilot project for persons with developmental disabilities who
27 receive services under the developmental disabilities waiver
28 program administered by the Agency for Persons with
29 Disabilities. Persons with developmental disabilities who
30 receive services under the family and supported living waiver
31 program or the consumer-directed care plus waiver program
32 administered by the Agency for Persons with Disabilities may
33 also be included in the system if the agency determines that
34 such inclusion is feasible and will improve coordination of care
35 and management of costs. The system must transfer and combine
36 all services funded by Medicaid waiver programs and services
37 funded only by the state, including room and board and supported
38 living payments, for individuals who participate in the system.
39 The pilot project shall document increased client outcomes that
40 are known to be associated with a valid needs assessment of the
41 level of need of the client, rate setting based on the level of
42 need, and encouragement of the use of community-centered
43 services and supports. The pilot project shall implement strong
44 utilization control, such as capped rates, in order to ensure

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45 predictable and controlled annual costs. Medicaid service
46 delivery, including, but not limited to, service authorization,
47 care management, and monitoring shall be managed locally through
48 the area office of the Agency for Persons with Disabilities in
49 order to encourage provider development. Support coordination
50 services shall be available to individuals participating in the
51 pilot program.

52 1. The Legislature intends that the service delivery
53 system provide recipients in Medicaid waiver programs with a
54 coordinated system of services, increased cost predictability,
55 and a stabilized rate of increase in Medicaid expenditures while
56 ensuring:

57 a. Consumer choice.

58 b. Opportunities for consumer-directed services.

59 c. Access to medically necessary services.

60 d. Coordination of community-based services.

61 e. Reductions in the unnecessary use of services.

62 2. The Agency for Persons with Disabilities shall
63 implement the system on a pilot basis in Area 1 and may conduct
64 a similar pilot in an urban area of the Agency for Persons with
65 Disabilities, in consultation with the Agency for Health Care
66 Administration. After completion of the development phase of the
67 system, attainment of necessary federal approval, selection of
68 qualified providers, and rate setting, the Agency for Persons
69 with Disabilities shall delegate administration of the system to
70 the administrator of the agency's local area office. The Agency
71 for Persons with Disabilities shall set standards for qualified
72 providers and provide quality assurance, monitoring oversight,

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73 and other duties necessary for the system. The enrollment of
74 Medicaid waiver recipients into the system in pilot areas shall
75 be mandatory.

76 3. The local area office shall administer the pilot
77 program and shall be responsible for ensuring that the costs of
78 the program do not exceed the amount of funds allocated for the
79 program. The agency area administrator shall also:

80 a. Identify the needs of the recipients using a
81 standardized assessment process approved by the agency.

82 b. Allow a recipient to select any provider that has been
83 qualified by the agency, provided that the service offered by
84 the provider is appropriate to meet the needs of the recipient.

85 c. Make a good faith effort to select qualified providers
86 currently providing Medicaid waiver services for the agency in
87 the pilot area.

88 d. Develop and use a service provider qualification system
89 approved by the agency that describes the quality of care
90 standards that providers of service to persons with
91 developmental disabilities must meet in order to provide
92 services within the pilot area.

93 e. Exclude, when feasible, chronically poor-performing
94 providers and facilities as determined by the agency.

95 f. Demonstrate a quality assurance system and a
96 performance improvement system that are satisfactory to the
97 agency.

98 4. The agency must ensure that the rate-setting
99 methodology for the system reflects the intent to provide
100 quality care in the least restrictive setting appropriate for
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101 the recipient and provide for choice by the recipient. The
102 agency may choose to limit financial risk for the pilot area
103 operating the system to cover high-cost recipients or to address
104 the catastrophic care needs of recipients enrolled in the
105 system.

106 5. Within 24 months after implementation, the agency shall
107 contract for a comprehensive evaluation of the system. The
108 evaluation must include assessments of cost savings, cost-
109 effectiveness, recipient outcomes, consumer choice, access to
110 services, coordination of care, and quality of care. The
111 evaluation shall include, but not be limited to, an assessment
112 of the following aspects:

113 a. A study of the funding patterns of the cost-prediction
114 methodology before and after implementation of the pilot
115 program;

116 b. A study of the service utilization patterns of the
117 cost-prediction methodology before and after implementation of
118 the pilot program;

119 c. The accuracy of the cost-prediction methodology in
120 explaining and predicting funding levels for individuals
121 receiving each of the three waivers in the pilot areas;

122 d. The accuracy of the cost-prediction methodology and a
123 plan for dealing with cases involving individuals with the
124 highest and lowest support needs and funding levels;

125 e. A survey of consumer satisfaction regarding consumer
126 choice, scope of services, and proposed funding levels generated
127 by the cost-prediction methodology in the pilot areas;

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128 f. The applicability of the cost-prediction methodology
129 to explain and predict funding levels for all individuals
130 receiving the waivers;

131 g. The robustness of the cost-prediction methodology to
132 withstand appeals and grievances; and

133 h. A systematic comparison of the outcomes in both pilot
134 areas and the different models that are demonstrated.

135 6. Each pilot area shall form an advisory committee that
136 includes representatives from the stakeholder community,
137 including persons with disabilities, family members of persons
138 with disabilities, members of disability advocacy groups, and
139 representatives of program service providers to provide feedback
140 and monitor the implementation of the pilot program on at least
141 a quarterly basis.

142 7. The Agency for Persons with Disabilities shall form an
143 advisory committee that includes representatives from the
144 stakeholder community, including persons with disabilities,
145 family members of persons with disabilities, members of
146 disability advocacy groups, and representatives of program
147 service providers to provide feedback and monitor the
148 implementation of the pilot program from a statewide
149 perspective.

150 8. The advisory committees shall submit reports evaluating
151 the progress of the pilot programs to the President of the
152 Senate and the Speaker of the House of Representatives on a
153 quarterly basis.

154 9. The agency shall submit a report that describes the
155 administrative or legal barriers to the implementation and

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156 operation of the system, including recommendations regarding
157 statewide expansion of the system and a recommendation for the
158 model service delivery system to be implemented statewide, to
159 the Governor, the President of the Senate, and the Speaker of
160 the House of Representatives no later than December 31, 2008.

161 10. The agency, in coordination with the Agency for Health
162 Care Administration, may seek federal waivers or Medicaid state
163 plan amendments and adopt rules as necessary to administer the
164 system on a pilot basis. The agency must receive specific
165 authorization from the Legislature prior to expanding beyond the
166 pilot areas designated for the implementation of this system.
167 Further expansion of this pilot project requires approval by the
168 Legislature.

169

170 ===== T I T L E A M E N D M E N T =====

171 Remove line(s) 16 and insert:

172 anesthesiologist assistant; amending s. 393.0661, F.S.;

173 requiring the Agency for Persons with Disabilities, in

174 consultation with the Agency for Health Care Administration, to

175 implement federal waivers to create a model service delivery

176 system pilot project for Medicaid recipients with developmental

177 disabilities; providing legislative intent; providing for

178 implementation of the system on a pilot basis in certain areas

179 of the state; providing for administration of the system by the

180 Agency for Persons with Disabilities; providing requirements for

181 selection of service providers to operate the system; providing

182 for mandatory enrollment in pilot areas; requiring an evaluation

183 of the system; providing for the formation of local and

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184 statewide advisory committees; requiring the committees to
185 submit quarterly reports to the Legislature; requiring the
186 agency to submit a report to the Governor and Legislature;
187 authorizing the agency to seek federal waivers or Medicaid state
188 plan amendments and adopt rules; requiring the agency to receive
189 specific authorization from the Legislature before expanding the
190 system; providing an effective date.